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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/711,829	10/07/2004	Thomas H. Whitesides	H-396

CONFIRMATION NO. 5828

26245
 DAVID J COLE
 E INK CORPORATION
 733 CONCORD AVE
 CAMBRIDGE, MA 02138-1002

FORMALITIES LETTER



OC000000014379565

Date Mailed: 11/16/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$130** for a Large Entity

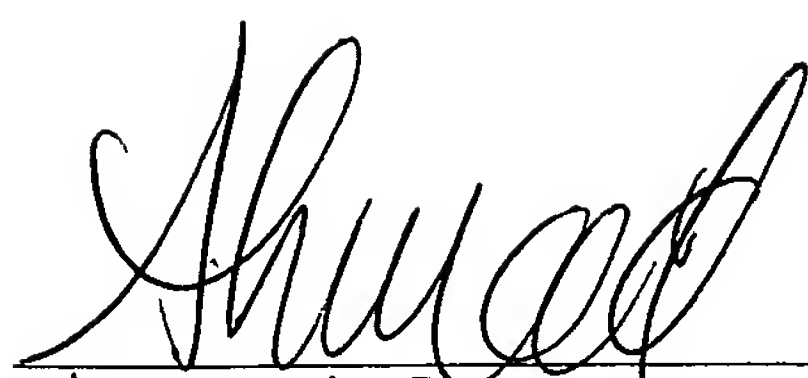
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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A copy of this notice MUST be returned with the reply.

04/12/2005 JBALINAN 00000095 501162 10711829

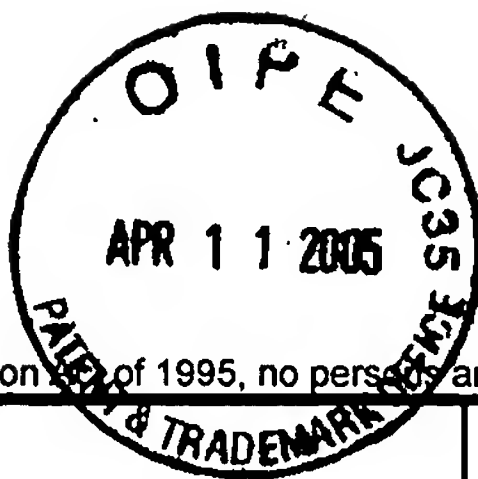
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A handwritten signature in black ink, appearing to read "Ahmad", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/711,829	
	Filing Date	October 7, 2004	
	First Named Inventor	Whitesides, Thomas H.	
	Art Unit	2673	
	Examiner Name	Not Yet Known	
Total Number of Pages in This Submission	27	Attorney Docket Number	H-396

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Corrected Application Data Sheet (2 pages) Replacement Application Data Sheet (8 pages)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	<i>David J. Cole</i>		
Printed name	David J. Cole		
Date	April 8, 2005	Reg. No.	29629

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature	<i>David J. Cole</i>		
Typed or printed name	David J. Cole	Date	April 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/711,829
Application of: Whitesides, et al.
Confirmation No. : 5828
Filed: October 7, 2004
Group Art Unit: 2673
Examiner: Not Yet Known

Attorney Docket No.: H-396
Customer No.: 26245

Cambridge, Massachusetts
April 8, 2005

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application, issued 16 November, 2004 in connection with the above application, applicants are filing herewith a Declaration signed by the inventors. Because the inventors are geographically separated, it was necessary to execute the Declaration in four separate copies, but based on previous experience the undersigned attorney believes this is not objectionable to the Office.

As a result of a review of certain business arrangements entered into by the applicants' assignee, E Ink Corporation, the undersigned attorney has determined that this application is now entitled to small entity status, and accordingly the fees paid herewith are being paid on this basis. It is respectfully requested that the Office Records be changed accordingly.

Whitesides, et al.
Serial No. 10/711,829
Response to Notice to File Missing Parts
Page 2

Please charge *at the small entity rate* the additional fee required under 37 CFR 1.16(e) for the late filing of this Declaration to the assignee's Deposit Account No. 501162; a duplicate copy of this paper is enclosed. A duplicate copy of the Notice also accompanies this filing.

Since the normal period for responding to the aforementioned Notice expired January 16, 2005, there is also filed herewith a Petition (Form PTO/SB/22) for a three-month extension of this period.

Also filed herewith is a Request for Correction of Application Data Sheet.

Respectfully submitted



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